

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 4016-01  
BILL NO.: HB 1559  
SUBJECT: Department of Conservation; Deer Restitution; Hunting Permits  
TYPE: Original  
DATE: February 1, 2002

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**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
Conservation Commission Fund	\$182,500 to \$912,500	\$219,000 to \$1,095,000	\$219,000 to \$1,095,000
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$182,500 to \$912,500</b>	<b>\$219,000 to \$1,095,000</b>	<b>\$219,000 to \$1,095,000</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2002</b>	<b>FY 2003</b>	<b>FY 2004</b>
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

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## **FISCAL ANALYSIS**

### **ASSUMPTIONS**

Officials from the **Attorney General's Office**, the **Office of State Courts Administrator**, and the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Conservation** (MDC) did not respond to this proposal, however, in response to a similar proposal in the prior session, they assumed this proposed legislation would credit restitution monies for illegal deer to the Conservation Commission Fund. The impact to the fund could be positive after the expense of scoring antlers. The amount of impact is unknown. In response to HB 1342 from the 2000 session, MDC indicated that the number of convictions in FY99 for illegal taking of deer was 195. MDC did not provide information as to whether the convictions related to antlerless or antlered deer, nor could they provide information as to the score of the antlers.

**Oversight** assumes the number of convictions (195) would remain consistent. Oversight arbitrarily assumes 75% of the total convictions would be antlered deer. This equates to 146 convictions. Therefore, Oversight used this figure and the restitution amounts indicated in the proposal to estimate the fiscal impact for FY's 2002 through 2004. Oversight also notes that assessment of restitution in addition to existing penalties could encourage compliance. Therefore, the fiscal impact could result in significantly less revenue generated than is reflected in our estimate.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
<b>CONSERVATION COMMISSION FUND</b>			
<u>Income - Department of Conservation</u>			
Restitution Assessed	<u>\$182,500 to</u> <u>\$912,500</u>	<u>\$219,000 to</u> <u>\$1,095,000</u>	<u>\$219,000 to</u> <u>\$1,095,000</u>
<b>ESTIMATED IMPACT ON CONSERVATION COMMISSION FUND</b>	<b><u>\$182,500 to</u> <u>\$912,500</u></b>	<b><u>\$219,000 to</u> <u>\$1,095,000</u></b>	<b><u>\$219,000 to</u> <u>\$1,095,000</u></b>
<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

In addition to the existing misdemeanor charge, this proposal requires anyone illegally taking, killing, possessing or disposing of an antlered deer to remit to the credit of the conservation commission an amount ranging from \$1,500 to \$7,500, depending on the deer's certified Boone & Crockett score. The commission may allocate up to 25% of the funds for grants to promote anti-poaching activities.

Additionally, this proposal states that if any person fails to appear at a hearing or fails to pay a fine imposed for any violation of section 252.040, the court shall notify the commission of such person's actions for the commission's consideration of the suspension, revocation, or denial of such person's permit or privilege to pursue, take, kill, possess or dispose of wildlife.

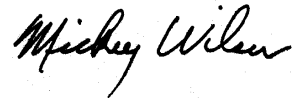
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Attorney General  
Office of State Courts Administrator  
Office of Prosecution Services

NOT RESPONDING

Department of Conservation  
Office of the State Public Defender

A handwritten signature in black ink, reading "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Acting Director  
February 1, 2002